

STATE OF MINNESOTA

EIGHTY-FIFTH SESSION — 2007

 FIFTY-FOURTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, APRIL 24, 2007

The House of Representatives convened at 10:00 a.m. and was called to order by Margaret Anderson Kelliher, Speaker of the House.

Prayer was offered by Rabbi Michelle Werner, B'Nai Israel Synagogue, Rochester, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abeler	Dettmer	Haws	Lesch	Otremba	Slocum
Anderson, B.	Dill	Heidgerken	Liebling	Ozment	Smith
Anderson, S.	Dittrich	Hilstrom	Lieder	Paulsen	Solberg
Anzelc	Dominguez	Hilty	Lillie	Paymar	Sviggum
Atkins	Doty	Holberg	Loeffler	Pelowski	Swails
Beard	Eastlund	Hornstein	Madore	Peppin	Thao
Benson	Eken	Hortman	Magnus	Peterson, A.	Thissen
Berns	Emmer	Hosch	Mariani	Peterson, N.	Tillberry
Bigham	Erhardt	Howes	Marquart	Peterson, S.	Tingelstad
Bly	Erickson	Huntley	Masin	Poppe	Tschumper
Brod	Faust	Jaros	McFarlane	Rukavina	Urdahl
Brown	Finstad	Johnson	McNamara	Ruth	Wagenius
Brynaert	Fritz	Juhnke	Moe	Ruud	Walker
Buesgens	Gardner	Kahn	Morgan	Sailer	Ward
Bunn	Garofalo	Kalin	Morrow	Scalze	Wardlow
Carlson	Gottwalt	Knuth	Mullery	Seifert	Welti
Clark	Greiling	Koenen	Murphy, E.	Sertich	Westrom
Cornish	Gunther	Kohls	Murphy, M.	Severson	Winkler
Davnie	Hackbarth	Kranz	Nelson	Shimanski	Wollschlager
Dean	Hamilton	Laine	Nornes	Simon	Zellers
DeLaForest	Hansen	Lanning	Norton	Simpson	Spk. Kelliher
Demmer	Hausman	Lenczewski	Olin	Slawik	

A quorum was present.

Mahoney was excused until 10:35 a.m. Olson was excused until 10:55 a.m. Hoppe was excused until 12:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Bunn moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

S. F. No. 744 and H. F. No. 1712, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Masin moved that S. F. No. 744 be substituted for H. F. No. 1712 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1105 and H. F. No. 1444, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Bigham moved that the rules be so far suspended that S. F. No. 1105 be substituted for H. F. No. 1444 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1542 and H. F. No. 1949, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Atkins moved that S. F. No. 1542 be substituted for H. F. No. 1949 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1558 and H. F. No. 1494, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Simon moved that S. F. No. 1558 be substituted for H. F. No. 1494 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1807 and H. F. No. 1872, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Thissen moved that S. F. No. 1807 be substituted for H. F. No. 1872 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

April 20, 2007

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 1004, relating to mortgages; prohibiting predatory lending practices.

H. F. No. 878, relating to agriculture; authorizing the commissioner of agriculture to serve as a consultant to the Board of Animal Health.

H. F. No. 472, relating to energy; extending eligibility period for certain renewable energy production incentives.

Sincerely,

TIM PAWLENTY
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2007 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2007</i>	<i>Date Filed 2007</i>
1133		17	4:24 p.m. April 20	April 20
	1004	18	4:28 p.m. April 20	April 20
	878	19	4:29 p.m. April 20	April 20
	472	20	4:30 p.m. April 20	April 20

Sincerely,

MARK RITCHIE
Secretary of State

SECOND READING OF SENATE BILLS

S. F. Nos. 744, 1105, 1542, 1558 and 1807 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

Thissen introduced:

H. F. No. 2453, A bill for an act relating to retirement; modifying the investment related to postretirement adjustment of the Minneapolis Firefighters' Relief Association; amending Minnesota Statutes 2006, section 423C.06, subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 124, 1157, 1959, 1443, 1271, 1660, 1148, 1605, 2212, 794, 2068, 2098, 2099, 2100, 2105, 1405, 1218, 1073, 145, 875, 1262, 1533, 356, 1920, 890, 1966, 2161, 1700, 1349, 1724, 900, 1998, 1393 and 1556.

PATRICE DWORAK, First Assistant Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 124, A bill for an act relating to counties; modifying procedures on the filling of vacancies for certain offices; amending Minnesota Statutes 2006, section 375.101, subdivision 1, by adding a subdivision.

The bill was read for the first time.

Howes moved that S. F. No. 124 and H. F. No. 269, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1157, A bill for an act relating to public safety; authorizing integrated search service inquiries; clarifying use of drivers' license photographs for criminal justice use and authorizing use by public defenders; updating and clarifying membership on the CriMNet Task Force; amending Minnesota Statutes 2006, sections 171.07, subdivision 1a; 299C.65, subdivisions 2, 5; proposing coding for new law in Minnesota Statutes, chapter 13.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

S. F. No. 1959, A bill for an act relating to health professions; allowing the return of drugs dispensed by pharmacies in certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 151.

The bill was read for the first time and referred to the Committee on Finance.

S. F. No. 1443, A bill for an act relating to unemployment insurance; providing a waiver from certain filing requirements.

The bill was read for the first time and referred to the Committee on Finance.

S. F. No. 1271, A bill for an act relating to family law; clarifying and modifying child support laws; modifying enforcement provisions; extending time periods for enforcing child support judgments; amending Minnesota Statutes 2006, sections 518.68, subdivision 2; 518A.28; 518A.32, subdivisions 1, 3, 5, 6; 518A.39, subdivision 2; 518A.40, subdivisions 1, 4; 518A.41, subdivisions 1, 2, 3, 4, 5, 12, 15, 16; 518A.42, subdivision 1; 518A.43, subdivision 1; 518A.46, subdivision 5; 518A.75, subdivision 3; 541.04; 548.09, subdivision 1; 548.091, subdivisions 1a, 3b; 550.01.

The bill was read for the first time.

Smith moved that S. F. No. 1271 and H. F. No. 1500, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1660, A bill for an act relating to agriculture; establishing a food safety and defense task force; proposing coding for new law in Minnesota Statutes, chapter 28A.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

S. F. No. 1148, A bill for an act relating to traffic regulations; exempting medical service personnel from prohibition on use of headphones while operating ambulance; amending Minnesota Statutes 2006, section 169.471, subdivision 2.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

S. F. No. 1605, A bill for an act relating to drivers' licenses; imposing curfew and passenger restrictions on provisional license holder's operation of a vehicle; amending Minnesota Statutes 2006, section 171.055, subdivision 2.

The bill was read for the first time and referred to the Transportation Finance Division.

S. F. No. 2212, A bill for an act relating to unemployment insurance; modifying Social Security offset provisions; amending Minnesota Statutes 2006, section 268.085, subdivision 4.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 794, A bill for an act relating to real property; increasing the dollar amount of the homestead exemption and providing for inflationary adjustments; regulating the enforcement of judgments involving the sale of homestead property; amending Minnesota Statutes 2006, sections 510.02; 510.05; 550.175, subdivisions 1, 4, by adding a subdivision; 550.18; 550.19; 550.22; 550.24; 580.24; proposing coding for new law in Minnesota Statutes, chapter 550.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

S. F. No. 2068, A bill for an act relating to health-related licensing; establishing licensure requirements for foreign trained professional counselors; adding professional counselors as a professional service; amending Minnesota Statutes 2006, section 319B.02, subdivision 19; proposing coding for new law in Minnesota Statutes, chapter 148B.

The bill was read for the first time and referred to the Committee on Health and Human Services.

S. F. No. 2098, A bill for an act relating to social work; changing licensing provisions for social work; amending Minnesota Statutes 2006, sections 148D.050, subdivision 1; 148D.055, subdivisions 2, 3, 4, 5, by adding a subdivision; 148D.060, subdivision 13; 148D.120, subdivision 2; 148D.125, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 148D.

The bill was read for the first time and referred to the Committee on Health and Human Services.

S. F. No. 2099, A bill for an act relating to social work; providing for temporary license for social work under certain conditions; amending Minnesota Statutes 2006, section 148D.060, subdivisions 5, 6, 7, 13, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

S. F. No. 2100, A bill for an act relating to social work; modifying the Minnesota Board of Social Work Practice Act; proposing coding for new law as Minnesota Statutes, chapter 148E; repealing Minnesota Statutes 2006, sections 148D.001; 148D.010; 148D.015; 148D.020; 148D.025; 148D.030; 148D.035; 148D.040; 148D.045; 148D.050; 148D.055; 148D.060; 148D.065; 148D.070; 148D.075; 148D.080; 148D.085; 148D.090; 148D.095; 148D.100; 148D.105; 148D.110; 148D.115; 148D.120; 148D.125; 148D.130; 148D.135; 148D.140; 148D.145; 148D.150; 148D.155; 148D.160; 148D.165; 148D.170; 148D.175; 148D.180; 148D.185; 148D.190; 148D.195; 148D.200; 148D.205; 148D.210; 148D.215; 148D.220; 148D.225; 148D.230; 148D.235; 148D.240; 148D.245; 148D.250; 148D.255; 148D.260; 148D.265; 148D.270; 148D.275; 148D.280; 148D.285; 148D.290.

The bill was read for the first time and referred to the Committee on Health and Human Services.

S. F. No. 2105, A bill for an act relating to professions; changing licensing provisions for the Board of Pharmacy; defining electronic signature and electronic transmission; setting requirements for prescriptions by electronic transmission; amending Minnesota Statutes 2006, sections 151.01, by adding subdivisions; 151.06, subdivision 1; 151.21, subdivisions 1, 2, 3, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

S. F. No. 1405, A bill for an act relating to agriculture; changing certain livestock compensation provisions; amending Minnesota Statutes 2006, sections 3.737, subdivision 1; 3.7371, subdivision 3.

The bill was read for the first time.

Olin moved that S. F. No. 1405 and H. F. No. 1433, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1218, A bill for an act relating to elections; changing certain procedures and requirements for absent voters; providing for privacy of certain voter registration information; providing for certain emergency situations; authorizing rulemaking; amending Minnesota Statutes 2006, sections 201.091, subdivision 9; 203B.16, subdivision 2; 203B.17, subdivision 2; 203B.19; 203B.20; 203B.21, subdivisions 2, 3; 203B.22; 203B.23; 203B.24; 203B.25; 203B.26; proposing coding for new law in Minnesota Statutes, chapter 203B; repealing Minnesota Statutes 2006, section 203B.16, subdivision 3.

The bill was read for the first time.

Kalin moved that S. F. No. 1218 and H. F. No. 1259, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1073, A bill for an act relating to state government; ratifying certain labor agreements and compensation plans.

The bill was read for the first time and referred to the Committee on Finance.

S. F. No. 145, A bill for an act relating to energy; providing for community-based energy development; requiring a plan to reduce greenhouse gas emissions; amending Minnesota Statutes 2006, sections 216B.1612, subdivisions 1, 2, 3, 5, by adding a subdivision; 216B.1691, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 216F.

The bill was read for the first time and referred to the Committee on Finance.

S. F. No. 875, A bill for an act relating to employment; increasing and indexing the minimum wage; eliminating the training wage; requiring notice to new employees; amending Minnesota Statutes 2006, section 177.24, subdivision 1, by adding a subdivision.

The bill was read for the first time.

Rukavina moved that S. F. No. 875 and H. F. No. 456, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1262, A bill for an act relating to commerce; regulating the manufacture and sale of jewelry products containing lead; proposing coding for new law in Minnesota Statutes, chapter 325E.

The bill was read for the first time.

Thissen moved that S. F. No. 1262 and H. F. No. 1656, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1533, A bill for an act relating to commerce; regulating certain transactions with homeowners whose homes are in foreclosure; amending Minnesota Statutes 2006, sections 325N.01; 325N.03; 325N.04; 325N.10, subdivisions 3, 4, by adding a subdivision; 325N.13; 325N.14; 325N.17; 325N.18, by adding a subdivision; Laws 2004, chapter 263, section 26.

The bill was read for the first time.

Mullery moved that S. F. No. 1533 and H. F. No. 1209, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 356, A bill for an act relating to building codes; requiring window screens in certain residential dwellings to comply with safety standards; creating a window safety program; amending Minnesota Statutes 2006, section 16B.61, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Finance.

S. F. No. 1920, A bill for an act relating to financial institutions; regulating certain debt, charges, expenses, electronic financial terminals, and investments; amending Minnesota Statutes 2006, sections 47.19; 47.59, subdivision 6; 47.60, subdivision 2; 47.62, subdivision 1; 47.75, subdivision 1; 48.15, subdivision 4; 118A.03, subdivision 2; 332.54, subdivision 7; repealing Minnesota Statutes 2006, sections 46.043; 47.62, subdivision 5.

The bill was read for the first time.

Atkins moved that S. F. No. 1920 and H. F. No. 2056, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 890, A bill for an act relating to domestic abuse; making repeat offenders who violate domestic abuse no contact orders guilty of a felony; defining qualified domestic violence-related offenses; amending Minnesota Statutes 2006, sections 518B.01, subdivision 22; 609.02, subdivision 16.

The bill was read for the first time and referred to the Committee on Finance.

S. F. No. 1966, A bill for an act relating to gambling; modifying expenditure restrictions; clarifying certain game requirements, prize amounts, and making other changes to lawful gambling; amending Minnesota Statutes 2006, sections 349.15, subdivision 1; 349.163, by adding a subdivision; 349.211; repealing Minnesota Statutes 2006, section 349.19, subdivision 2b.

The bill was read for the first time.

Anzels moved that S. F. No. 1966 and H. F. No. 1691, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2161, A bill for an act relating to real property; providing for plats of land; amending Minnesota Statutes 2006, sections 505.01; 505.03, subdivision 1; 505.04; 505.08, subdivision 2; 505.1792, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 505; repealing Minnesota Statutes 2006, sections 505.02; 505.08, subdivisions 1, 2a, 3.

The bill was read for the first time.

Marquart moved that S. F. No. 2161 and H. F. No. 1919, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1700, A bill for an act relating to civil actions; including court file copy costs in expenses paid on behalf of a person proceeding in forma pauperis; amending Minnesota Statutes 2006, section 563.01, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

S. F. No. 1349, A bill for an act relating to courts; authorizing the attorney general to represent guardians ad litem who are sued for acts committed in scope of employment; removing certain salary range language for state court administrator and district administrators; reinstating certain bail forfeiture language inadvertently removed; authorizing the state court administrator to develop a uniform form for summons and writ of recovery of premises; modifying provisions of law to conform to current guardian ad litem responsibilities; permitting court administrators to collect restitution for six years; providing new judges expense payments; removing certain obsolete judicial provisions relating to reports; amending Minnesota Statutes 2006, sections 3.732, subdivision 1; 3.736, subdivision 1; 15A.083, subdivision 4; 352D.02, subdivision 1; 484.54, subdivision 2; 484.83; 504B.361, subdivision 1; 518.165, subdivisions 1, 2; 518A.35, subdivision 3; 609.135, subdivision 8; Laws 2001, First Special Session chapter 8, article 4, section 4; Laws 2003, First Special Session chapter 2, article 1, section 2; repealing Minnesota Statutes 2006, sections 260B.173; 480.175, subdivision 3.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

S. F. No. 1724, A bill for an act relating to human services; making changes to licensing provisions; modifying data practices, program administration, disaster plans, education programs, conditional license provisions, suspensions, sanctions, and contested case hearings, child care center training, family child care training requirements, vulnerable adults, maltreatment of minors, background studies, disqualifications, reconsiderations, disqualification set-asides, fair hearings, appeals, changing definitions of neglect and physical abuse; amending Minnesota Statutes 2006, sections 13.46, subdivisions 2, 4; 245A.03, subdivision 2; 245A.04, subdivision 11, by adding subdivisions; 245A.06, subdivision 4; 245A.07, subdivisions 2a, 3, by adding a subdivision; 245A.08, subdivision 2a; 245A.10, subdivision 2; 245A.14, subdivision 8; 245A.144; 245A.1445; 245A.145, subdivision 1; 245A.18, subdivision 2; 245A.65, subdivision 1, by adding a subdivision; 245C.02, by adding a subdivision; 245C.05, subdivision 3; 245C.07; 245C.08; 245C.09, subdivision 1; 245C.11, by adding a subdivision; 245C.13, subdivision 2; 245C.14, subdivision 1; 245C.15, subdivisions 1, 2, 3, 4; 245C.16, subdivision 1; 245C.17, subdivisions 2, 3; 245C.21, subdivisions 2, 3; 245C.22, subdivisions 4, 5; 245C.24, subdivision 3; 245C.27, subdivision 1; 245C.28, subdivision 1; 245C.301; 256B.0919, by adding a subdivision; 256B.092, by adding a subdivision; 270B.14, subdivision 1; 626.556, subdivisions 2, 10e, 10i; 626.557, subdivisions 9c, 9d; 626.5572,

subdivision 17; proposing coding for new law in Minnesota Statutes, chapter 245A; repealing Minnesota Statutes 2006, sections 245A.023; 245A.14, subdivisions 7, 9, 9a, 12, 13; 245C.06; Minnesota Rules, parts 9502.0385; 9503.0035.

The bill was read for the first time.

Lesch moved that S. F. No. 1724 and H. F. No. 1577, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 900, A bill for an act relating to health; establishing the Long-Term Resident Access to Pharmaceuticals Act; amending Minnesota Statutes 2006, section 151.19, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 151.

The bill was read for the first time and referred to the Committee on Finance.

S. F. No. 1998, A bill for an act relating to utilities; specifying conditions and procedures for the payment of compensation to certain intervenors in utility proceedings; amending Minnesota Statutes 2006, section 216B.16, subdivision 10.

The bill was read for the first time.

Slocum moved that S. F. No. 1998 and H. F. No. 2218, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1393, A bill for an act relating to education; directing the commissioner of education to amend the rule governing supplemental education service providers to specify the basis for withdrawing department approval from providers that fail to increase student proficiency for two consecutive school years.

The bill was read for the first time and referred to the Committee on Finance.

S. F. No. 1556, A bill for an act relating to state government; changing terminology for Office of Enterprise Technology; amending Minnesota Statutes 2006, sections 16E.15, subdivision 2; 16E.18, subdivisions 2, 3, 7.

The bill was read for the first time.

Pelowski moved that S. F. No. 1556 and H. F. No. 1688, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Sertich from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day for Tuesday, April 24, 2007:

H. F. No. 854; S. F. Nos. 1085, 420, 1735, 1105 and 1790; H. F. No. 1072; and S. F. Nos. 1266, 555 and 358.

CALENDAR FOR THE DAY

S. F. No. 1949 was reported to the House.

Loeffler moved to amend S. F. No. 1949, the second engrossment, as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 2135:

"Section 1. Laws 2005, First Special Session chapter 1, article 4, section 121, is amended to read:

Sec. 121. **SESQUICENTENNIAL COMMISSION.**

Subdivision 1. **Commission; purpose.** The Minnesota Sesquicentennial Commission is established to plan for activities relating to Minnesota's 150th anniversary of statehood. The commission shall create a plan for ~~capital improvements~~, celebratory activities, and public engagement in every county in the state of Minnesota.

Subd. 2. **Membership.** The commission shall consist of 17 members who shall serve until the completion of the sesquicentennial year of statehood, appointed as follows:

(1) nine members appointed by the governor, representing major corporate, nonprofit, and public sectors of the state, selected from all parts of the state;

(2) two members appointed by the speaker of the house of representatives;

(3) two members appointed by the minority leader of the house of representatives;

(4) two members from the majority party in the senate, appointed by the Subcommittee on Committees; and

(5) two members from the minority party in the senate, appointed by the Subcommittee on Committees.

Subd. 3. **Compensation; operation.** Members shall select a chair from the membership of the commission. The chair shall convene all meetings and set the agenda for the commission. The Minnesota Historical Society shall provide office space and staff support for the commission, and shall cooperate with the University of Minnesota and Minnesota State Colleges and Universities to support the programs of the commission. Meetings shall be at the call of the chair. The commission may appoint an advisory council to advise and assist the commission with its duties. Members shall receive no compensation for service on the Sesquicentennial Commission. Members appointed by the governor may be reimbursed for expenses under Minnesota Statutes, section 15.059, subdivision 3.

Subd. 4. **Duties.** The commission shall have the following duties:

(1) to present to the governor and legislature a plan for ~~capital~~ grants to pay for capital improvements on Minnesota's historic public and private buildings, to be known as sesquicentennial grants;

(2) to seek funding for activities to celebrate the 150th anniversary of statehood, and to form partnerships with private parties to further this mission; and

(3) to present an annual report to the governor and legislature outlining progress made towards the celebration of the sesquicentennial.

Subd. 4a. **Powers.** (a) The commission may accept gifts, grants, and other donations and revenues, either in cash or in-kind. These gifts, grants, and donations are accepted on behalf of the state and constitute donations to the state of Minnesota. Funds received under this subdivision are appropriated to the commission for the purpose of commemorating the Minnesota sesquicentennial.

(b) The commission may enter into contracts and award grants to carry out its purposes.

Subd. 4b. **Meetings.** (a) If compliance with Minnesota Statutes, section 13D.02, is impractical, the commission may conduct a meeting of its members by telephone or other electronic means so long as the following conditions are met:

(1) all members of the commission participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

(2) all members of the public present at the regular meeting location can clearly hear all discussion and testimony and all votes of members;

(3) at least one member of the commission is physically present at the regular meeting location; and

(4) all votes committing funds, finalizing recommendations, and approving contracts are conducted by roll call, so each member's vote on each issue can be identified and recorded.

(b) Each member of the commission participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings. If telephone or other electronic means is used to conduct a meeting, the commission, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location. The commission may require the person making such a connection to pay for documented marginal costs that the commission incurs as a result of the additional connection. If telephone or other electronic means is used to conduct a regular, special, or emergency meeting, the commission shall provide notice of the regular meeting location, of the fact that some members may participate by telephone or other electronic means, and of whether and how a person may monitor the meeting electronically from a remote location. The timing and method of providing notice is governed by Minnesota Statutes, section 13D.04.

Subd. 5. **Commemorative coin.** The commission may arrange for design, production, distribution, marketing, and sale of a commemorative coin. Proceeds from sale of the commemorative coin are appropriated to the commission.

Subd. 6. **Expiration.** The commission shall continue to operate until January 30, 2009, at which time it shall expire.

EFFECTIVE DATE. This section is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to the Minnesota Sesquicentennial Commission; changing certain duties, powers, and procedures; amending Laws 2005, First Special Session chapter 1, article 4, section 121."

The motion prevailed and the amendment was adopted.

Kalin, Ozment and Hilty moved to amend S. F. No. 1949, the second engrossment, as amended, as follows:

Page 2, line 14, strike "and"

Page 2, line 16, strike the period and insert "and"

Page 2, after line 16, insert:

"(4) to encourage all activities celebrating the sesquicentennial to be as energy efficient as practicable."

The motion prevailed and the amendment was adopted.

S. F. No. 1949, A bill for an act relating to the Minnesota Sesquicentennial Commission; changing certain duties and procedures; amending Laws 2005, First Special Session chapter 1, article 4, section 121.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Abeler	Dittrich	Hornstein	Madore	Pelowski	Thao
Anderson, S.	Dominguez	Hortman	Magnus	Peterson, A.	Thissen
Anzelc	Doty	Hosch	Mariani	Peterson, N.	Tillberry
Atkins	Eastlund	Howes	Marquart	Peterson, S.	Tingelstad
Beard	Eken	Huntley	Masin	Poppe	Tschumper
Benson	Erhardt	Jaros	McFarlane	Rukavina	Urdahl
Berns	Erickson	Johnson	McNamara	Ruth	Wagenius
Bigham	Faust	Juhnke	Moe	Ruud	Walker
Bly	Fritz	Kahn	Morgan	Sailer	Ward
Brod	Gardner	Kalin	Morrow	Scalze	Wardlow
Brown	Garofalo	Knuth	Mullery	Seifert	Welti
Brynaert	Gottwalt	Koenen	Murphy, E.	Sertich	Westrom
Bunn	Greiling	Kranz	Murphy, M.	Severson	Winkler
Carlson	Gunther	Laine	Nelson	Shimanski	Wollschlager
Clark	Hamilton	Lanning	Nornes	Simon	Zellers
Cornish	Hansen	Lenczewski	Norton	Simpson	Spk. Kelliher
Davnie	Hausman	Lesch	Olin	Slawik	
Dean	Haws	Liebling	Otremba	Slocum	
Demmer	Heidgerken	Lieder	Ozment	Smith	
Dettmer	Hilstrom	Lillie	Paulsen	Solberg	
Dill	Hilty	Loeffler	Paymar	Swails	

Those who voted in the negative were:

Anderson, B.	DeLaForest	Finstad	Holberg	Peppin
Buesgens	Emmer	Hackbarth	Kohls	Sviggum

The bill was passed, as amended, and its title agreed to.

H. F. No. 854 was reported to the House.

Sailer moved to amend H. F. No. 854, the third engrossment, as follows:

Page 7, line 6, delete "2" and insert "1"

The motion prevailed and the amendment was adopted.

Holberg moved to amend H. F. No. 854, the third engrossment, as amended, as follows:

Page 7, line 17, after "where" insert "a manufacturer has not provided a program for"

Page 7, line 18, delete "such" and insert "is"

Page 7, line 19, delete "In"

Page 7, delete lines 20 to 22

Brod moved that H. F. No. 854, the third engrossment, as amended, be re-referred to the Committee on Governmental Operations, Reform, Technology and Elections.

A roll call was requested and properly seconded.

The question was taken on the Brod motion and the roll was called. There were 42 yeas and 90 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dean	Finstad	Kohls	Paulsen	Smith
Anderson, S.	DeLaForest	Garofalo	Lanning	Peppin	Sviggum
Beard	Demmer	Gottwalt	Magnus	Ruth	Tingelstad
Berns	Dettmer	Gunther	McFarlane	Seifert	Urdahl
Brod	Eastlund	Hackbarth	McNamara	Severson	Wardlow
Buesgens	Emmer	Hamilton	Nornes	Shimanski	Westrom
Cornish	Erickson	Holberg	Olson	Simpson	Zellers

Those who voted in the negative were:

Anzelc	Davnie	Greiling	Howes	Laine	Marquart
Atkins	Dill	Hansen	Huntley	Lenczewski	Masin
Benson	Dittrich	Hausman	Jaros	Lesch	Moe
Bigham	Dominguez	Haws	Johnson	Liebling	Morgan
Bly	Doty	Heidgerken	Juhnke	Lieder	Morrow
Brown	Eken	Hilstrom	Kahn	Lillie	Mullery
Brynaert	Erhardt	Hilty	Kalin	Loeffler	Murphy, E.
Bunn	Faust	Hornstein	Knuth	Madore	Murphy, M.
Carlson	Fritz	Hortman	Koenen	Mahoney	Nelson
Clark	Gardner	Hosch	Kranz	Mariani	Norton

Olin	Peterson, A.	Ruud	Slawik	Thissen	Ward
Otremba	Peterson, N.	Sailer	Slocum	Tillberry	Walti
Ozment	Peterson, S.	Scalze	Solberg	Tschumper	Winkler
Paymar	Poppe	Sertich	Swails	Wagenius	Wollschlager
Pelowski	Rukavina	Simon	Thao	Walker	Spk. Kelliher

The motion did not prevail.

The question recurred on the Holberg amendment to H. F. No. 854, the third engrossment, as amended. The motion did not prevail and the amendment was not adopted.

Zellers moved to amend H. F. No. 854, the third engrossment, as amended, as follows:

Page 6, line 14, delete everything after the first "year" and insert ". For the second program year and thereafter, the agency shall determine the proportion of video display devices to be required to be recycled based on the previous year returns and report the proportion in the State Register and to registered manufacturers by September 1 of each year;"

Page 6, line 25, after the period, insert "Any funds paid as a variable fee in excess of the amount necessary for the operation of the program shall be applied toward the obligation of the manufacturers in the following year, prorated based on the percentage of the manufacturer's collection obligation, if the manufacturer met at least 50 percent of the manufacturer's obligation through a collection and recycling program. Any excess amount greater than the obligation for the following year must be refunded to the manufacturer."

The motion did not prevail and the amendment was not adopted.

Holberg moved to amend H. F. No. 854, the third engrossment, as amended, as follows:

Page 10, line 23, delete ", it shall present those" and insert "or if the revenues in the account exceed the amount that the agency determines is necessary, the agency shall submit"

Page 10, line 24, delete "recommendations" and insert "recommended changes"

Page 10, line 33, delete "either"

Page 10, line 34, after "fee" insert ", the proportion of sales of video display devices required to be recycled,"

Page 11, line 1, delete "both" and insert "any combination thereof"

A roll call was requested and properly seconded.

The question was taken on the Holberg amendment and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Anzelc	Benson	Bly	Brynaert	Carlson
Anderson, B.	Atkins	Berns	Brod	Buesgens	Clark
Anderson, S.	Beard	Bigham	Brown	Bunn	Cornish

Davnie	Greiling	Kalin	McNamara	Peterson, S.	Thissen
Dean	Gunther	Knuth	Moe	Poppe	Tillberry
DeLaForest	Hackbarth	Koenen	Morgan	Rukavina	Tingelstad
Demmer	Hamilton	Kohls	Morrow	Ruth	Tschumper
Dettmer	Hansen	Kranz	Mullery	Ruud	Urdahl
Dill	Hausman	Laine	Murphy, E.	Sailer	Wagenius
Dittrich	Haws	Lanning	Murphy, M.	Scalze	Walker
Dominguez	Heidgerken	Lenczewski	Nelson	Seifert	Ward
Doty	Hilstrom	Lesch	Nornes	Sertich	Wardlow
Eastlund	Hilty	Liebling	Norton	Severson	Welti
Eken	Holberg	Lieder	Olin	Shimanski	Westrom
Emmer	Hornstein	Lillie	Olson	Simon	Winkler
Erhardt	Hortman	Loeffler	Otremba	Simpson	Wollschlager
Erickson	Hosch	Madore	Ozment	Slawik	Zellers
Faust	Howes	Magnus	Paulsen	Slocum	Spk. Kelliher
Finstad	Huntley	Mahoney	Paymar	Smith	
Fritz	Jaros	Mariani	Pelowski	Solberg	
Gardner	Johnson	Marquart	Peppin	Sviggum	
Garofalo	Juhnke	Masin	Peterson, A.	Swails	
Gottwalt	Kahn	McFarlane	Peterson, N.	Thao	

The motion prevailed and the amendment was adopted.

Hackbarth moved to amend H. F. No. 854, the third engrossment, as amended, as follows:

Page 6, line 14, delete "0.6" and insert "0.33"

Page 6, line 14, delete "and 0.8 for the second program year and every year thereafter"

The motion did not prevail and the amendment was not adopted.

Emmer offered an amendment to H. F. No. 854, the third engrossment, as amended.

Thissen requested a division of the Emmer amendment to H. F. No. 854, the third engrossment, as amended.

Thissen further requested that the second portion of the divided Emmer amendment be voted on first.

The second portion of the Emmer amendment to H. F. No. 854, the third engrossment, as amended, reads as follows:

Page 12, after line 33, insert:

"Sec. 9. [115A.1323] ANTICOMPETITIVE CONDUCT.

(a) A manufacturer that organizes collection or recycling under this section is authorized to engage in anticompetitive conduct to the extent necessary to plan and implement its chosen organized collection or recycling system and is immune from liability under state laws relating to antitrust, restraint of trade, unfair trade practices, and other regulation of trade or commerce.

(b) An organization of manufacturers, an individual manufacturer, and its officers, members, employees, and agents who cooperate with a political subdivision that organizes collection or recycling under this section are authorized to engage in anticompetitive conduct to the extent necessary to plan and implement the organized collection or recycling system, provided that the political subdivision actively supervises the participation of each entity. An organization, entity, or person covered by this paragraph is immune from liability under state law relating to antitrust, restraint of trade, unfair trade practices, and other regulation of trade or commerce."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the second portion of the Emmer amendment was adopted.

The first portion of the Emmer amendment to H. F. No. 854, the third engrossment, as amended, reads as follows:

Page 4, line 21, after "to" insert "attempt to"

Page 9, line 6, delete "conduct and" and after "document" insert "the use of lined" and delete "due diligence assessments of"

Page 9, line 7, delete everything after "recyclers"

Page 9, line 8, delete everything before the period

Page 11, line 21, before the period, insert "by a court of competent jurisdiction"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the first portion of the Emmer amendment was not adopted.

Zellers moved to amend H. F. No. 854, the third engrossment, as amended, as follows:

Page 6, line 14, delete everything after the first "year" and insert ". For the second program year and thereafter, the agency shall determine the proportion of video display devices to be required to be recycled based on the previous year returns and report the proportion in the State Register and to registered manufacturers by September 1 of each year;"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

Sailer moved to amend H. F. No. 854, the third engrossment, as amended, as follows:

Page 13, line 29, after "establishment" delete "and"

Page 13, line 30, delete "implementation"

The motion prevailed and the amendment was adopted.

Mullery was excused for the remainder of today's session.

H. F. No. 854, A bill for an act relating to environment; providing for collection, transportation, and recycling of video display devices; providing civil penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 115A.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 112 yeas and 21 nays as follows:

Those who voted in the affirmative were:

Abeler	Dittrich	Howes	Magnus	Paymar	Swails
Anderson, S.	Dominguez	Huntley	Mahoney	Pelowski	Thao
Anzenc	Doty	Jaros	Mariani	Peterson, A.	Thissen
Atkins	Eken	Johnson	Marquart	Peterson, N.	Tillberry
Benson	Erhardt	Juhnke	Masin	Peterson, S.	Tingelstad
Berns	Faust	Kahn	McFarlane	Poppe	Tschumper
Bigham	Fritz	Kalin	McNamara	Rukavina	Urdahl
Bly	Gardner	Knuth	Moe	Ruth	Wagenius
Brown	Greiling	Koenen	Morgan	Ruud	Walker
Brynaert	Gunther	Kranz	Morrow	Sailer	Ward
Bunn	Hansen	Laine	Murphy, E.	Scalze	Wardlow
Carlson	Hausman	Lanning	Murphy, M.	Sertich	Welti
Clark	Haws	Lenczewski	Nelson	Shimanski	Westrom
Cornish	Heidgerken	Lesch	Nornes	Simon	Winkler
Davnie	Hilstrom	Liebling	Norton	Simpson	Wollschlager
Dean	Hilty	Lieder	Olin	Slawik	Zellers
Demmer	Hornstein	Lillie	Otremba	Slocum	Spk. Kelliher
Dettmer	Hortman	Loeffler	Ozment	Smith	
Dill	Hosch	Madore	Paulsen	Solberg	

Those who voted in the negative were:

Anderson, B.	DeLaForest	Finstad	Hamilton	Olson	Svigum
Beard	Eastlund	Garofalo	Holberg	Peppin	
Brod	Emmer	Gottwalt	Hoppe	Seifert	
Buesgens	Erickson	Hackbarth	Kohls	Severson	

The bill was passed, as amended, and its title agreed to.

Sertich moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Sertich moved that the names of Peterson, A., and Tschumper be added as authors on H. F. No. 464. The motion prevailed.

Lieder moved that the name of Sailer be added as an author on H. F. No. 562. The motion prevailed.

Sailer moved that the name of Brown be added as an author on H. F. No. 854. The motion prevailed.

Clark moved that the name of Brown be added as an author on H. F. No. 934. The motion prevailed.

Marquart moved that the name of Murphy, E., be added as an author on H. F. No. 1240. The motion prevailed.

Clark moved that the name of Knuth be added as an author on H. F. No. 1332. The motion prevailed.

Bigham moved that the name of Erhardt be added as an author on H. F. No. 1444. The motion prevailed.

Thissen moved that the name of Brod be added as an author on H. F. No. 1963. The motion prevailed.

Morrow moved that the names of Bly and Brynaert be added as authors on H. F. No. 2448. The motion prevailed.

Hansen moved that the name of Wagenius be added as an author on H. F. No. 2450. The motion prevailed.

Nelson moved that the name of Bly be added as an author on H. F. No. 2451. The motion prevailed.

ADJOURNMENT

Sertich moved that when the House adjourns today it adjourn until 12:00 noon, Wednesday, April 25, 2007. The motion prevailed.

Sertich moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Wednesday, April 25, 2007.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

